

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SCANSOFT, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 04-10353-PBS
)	
VOICE SIGNAL TECHNOLOGIES,)	
INC., LAURENCE S. GILLICK,)	
ROBERT S. ROTH, JONATHAN P.)	
YAMRON, and MANFRED G.)	
GRABHERR,)	
)	
Defendants.)	
_____)	

ORDER RE: NEUTRAL EXPERT PROCEDURE

May 24, 2006

Saris, U.S.D.J.

On December 29, 2005, the Court issued an order outlining a Neutral Expert Procedure. (Docket No. 320.) This order was supplemented on January 20, 2006 (Docket 328), and clarified on March 15, 2006 (Docket No. 353). Based on the Court's teleconference with the neutral expert Dr. Hermann Ney on May 12, 2006, and after hearing with the parties on May 23, 2006, the Court modifies the procedure as follows:

1. By May 26, 2006, Plaintiff Scansoft, Inc. ("Scansoft") will designate no more than six trade secrets that it alleges Defendant Voice Signal Technologies, Inc. ("Voice Signal") has misappropriated. Similarly, by May 26, 2006, Voice Signal will designate six of its patent claims that Scansoft has allegedly

infringed.

2. By July 26, 2006, Scansoft's independent expert will produce a report identifying the exact portions of the Voice Signal source code that allegedly copied the six designated Scansoft trade secrets. By September 11, 2006, Voice Signal's independent expert will file a response. The only Scansoft individuals allowed access to the VST Source Code are the one counsel designated in ¶ 7 of the December 29, 2005 Neutral Expert Procedure and the independent expert. These two individuals shall not communicate or disclose the VST Source Code to anyone else.

3. By July 26, 2006, Voice Signal's independent expert will produce a report identifying the exact specifications of the Scansoft source code that allegedly infringe one of the six designated Voice Signal patent claims. By September 11, 2006, Scansoft's independent expert will file a response. The only Voice Signal individuals allowed access to the Scansoft Source Code are the one counsel designated in ¶ 7 of the December 29, 2005 Neutral Expert Procedure and the independent expert. These two individuals shall not communicate or disclose the Scansoft Source Code to anyone else.

4. Paragraphs 15 through 18 of the neutral expert procedure remain in effect.

S/PATTI B. SARIS
UNITED STATES DISTRICT JUDGE